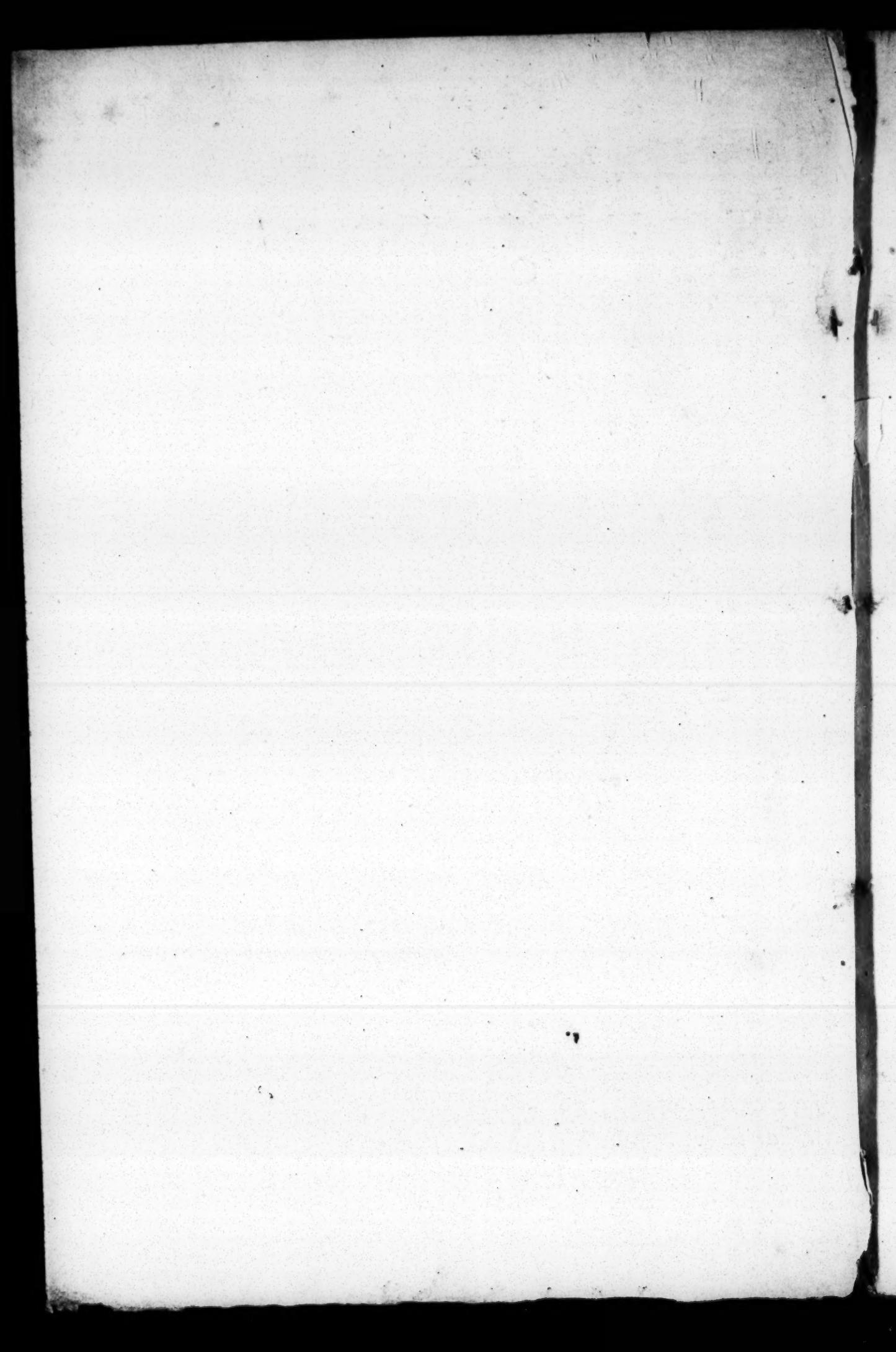
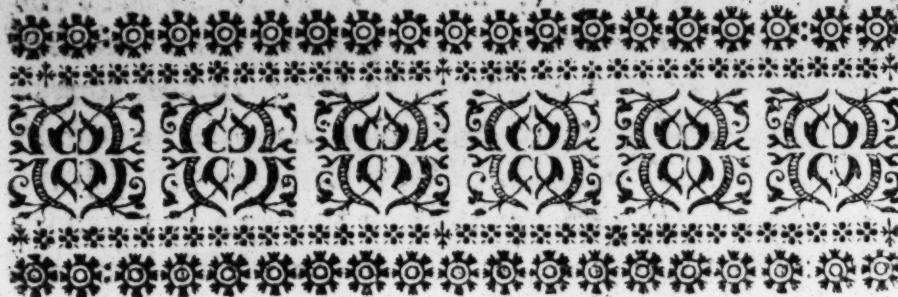


THE
TRYAL
OF
Sir Walter Raleigh Kt.
WITH HIS
S P E E C H
ON THE
S C A F F O L D.



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THE
TRYAL
OF
Sir Walter Raleigh Kt.

Temp. Jac.
1603.

A

*T Winton, Thursday the 17th of
November, Anno Dom. 1603.
before the Right Honourable
the*

Earl of Suffolk, Lord Chamberlain.

Earl of Devon.

Lord Henry Howard.

Lord Cecil, Earl of Salisbury.

Lord Wotton.

Sir John Stanhope, Vice-Chamberlain.

Lord Chief Justice of England, Popham.

Lord Chief Justice of the Common-Pleas, Anderson.

Justice Gaudie.

*Justice Warburton, and others, Commissioners by
special Delegate Assigned.*

*First, the Commissioner of Oyer and Terminer, was
read by the Clerk of the Crown-Office.*

*And then presently the Indictment was in Effect as
followeth.*

THAT he did Conspire, and go about to Deprive the King of his Government, to raise up Sedition within the Realm, to alter Religion, to bring in the Roman Superstition, and to procure Foreign Enemies to Invade the Kingdoms. That the Lord Cobham, the 9th of June, did meet with the said Sir Walter Raleigh in Durham House, in the Parish of St. Martins in the Fields, and then and there had Conference with him how to advance Arabella Stuart to the Crown, and Royal Throne of this Kingdom; and that then and there it was agreed, that Cobham should Treat with Aremberg, Ambassador from the Arch Duke of Austria, to obtain of him 600000 Crowns, to bring to pass their intended Treasons. It was agreed, that Cobham should go to Albert the Arch-Duke, to procure him to advance the pretended Title of Arabella: From thence knowing that Albert had not sufficient Means to maintain his own Army in the Low Countries, Cobham should go to Spain to procure the King to assist, and further her pretended Title.

It was agreed, the better to Effect all this Conspiracy, that Arabella should write three Letters, one to the Arch-Duke, another to the King of Spain, and a third to the Duke of Savoy, and promise three things: First, to establish firm Peace between England and Spain. Secondly, to tolerate the Popish and Roman Superstition. Thirdly, to be ruled by them in contracting of her Marriage.

And for the effecting of these Traiterous Purposes, Cobham should return by the Isle of Jersey, and should find Sir Walter Raleigh Captain of the said Isle there, and take Counsel of Raleigh for the Distributing of the aforesaid Crowns, as the Occasion and Discontentment of the Subjects should give Cause and Way.

And further, that Cobham and his Brother Brook, met on the 9th of June, and Cobham told Brook all these Treasons: To the which Treasons, Brook gave his assent, and did joyn himself to all these; and after on the Thursday following, Cobham and Brook did speak these Words, That there would never be a good World

World in England, till the King (meaning our Sovereign Lord) and his Cubs (meaning his Royal Issue) were taken away.

And the more to disable and deprive the King of his Crown, and to confirm the said Cobham in his Intents, Raleigh did publish a Book, falsely written against the most just and Royal Title of the King, knowing the said Book to be written against the just Title of the King; which Book Cobham after that received of him. Further, for the better effecting these Traiterous Purposes, and to establish the said Brook in his Intent, the said Cobham did deliver the said Book unto him, the 14th of June. And further, the said Cobham, on the 16th of June, for Accomplishment of the said Conference; and by the Traiterous Instigation of Raleigh, did move Brook to incite Arabella to write to the three forenamed Princes to procure them to advance her Title; and that she, after she had obtained the Crown, should promise to perform three things, viz. Peace between England and Spain. 2. To tolerate with Impunity, the Popish and Roman Superstitions. 3. To be ruled by them three, in the contracting of her Marriage.

To these Motions, the said Brook gave his Assent, and for the better effecting of the said Treasons, Cobham on the 17th of June, by the Instigation of Raleigh, did write Letters to Count Aremberg, and did deliver the said Letters to one Matthew de Lawrency, to be delivered to the said Count: Whob he did deliver for the obtaining of 600000 Crowns; which Money by other Letters, Count Aremberg did promise to perform the Payment of; and this Letter Cobham received the 18th of June. And then did Cobham promise to Raleigh, that when he had received the said Money he would deliver 8000 to him; to which Motion he did consent; and afterwards Cobham offered Brook, that after he should receive the said Crowns, he would give to him 10000 thereof; to which Motion Brook did assent.

To the Indictment Sir Walter Raleigh pleaded not Guilty. The

The J U R Y.

Sir *Ralph Conisby*, Knight.
 Sir *Thomas Fowler*, Knight.
 Sir *Edward Peacock*, Knight.
 Sir *William Rowe*, Knight.
 Henry *Goodyer*, Arm.
 Roger *Wood*, Arm.
 Thomas *Walker*, Arm.
 Thomas *Whitby*, Arm.
 Thomas *Highgate*, Gent.
 Robert *Kemptbon*, Gent.
 John *Chawkey*, Gent.
 Robert *Brumley*, Gent.

Sir *Walter Raleigh* Prisoner, was asked, whether he would take Exceptions to any of the Jury.

Raleigh. I know none of them ; they are all Christians and honest Gentlemen, I except against none.

E. Suff. You Gentlemen of the King's Learned Jury, follow the same Course as you did the other Day.

Raleigh. I pray you, I may answer the Points particularly as they are delivered, by Reason of the Weakness of my Memory and Sickness.

Popham, Chief Justice. After the King's Learned Council have delivered all the Evidence, you may answer particnlarly.

Heath, the King's Sergeant at Law. You have heard of *Raleigh*'s Bloody Attempts, to kill the King and his noble Progeny, and in Place thereof, to advance one *Arabella Stuart* : The Particulars of the Indictment are these. First, that *Raleigh* met with *Cobham* the 19th of June, and had Conference of an Invasion, of a Rebellion, and an Insurrection, to be made by the King's Subjects, to depose the King, and to kill his Children, poor Babes that never gave Offence : Here is Blood, here is a new King and Governor. In our King consists

sists all our Happiness, and the true Use of the Gospel, a thing which we all wished to be settled after the Death of the Queen. Here must be Money to do this, for Money is the Sinew of War. Where should that be had? Count Aremberg must procure it of Philip King of Spain, 5 or 600000 Crowns, and out of this Sum, Raleigh must ~~have~~ ⁸⁰⁰⁰; then there must be Friends to effect this. Cobham must go to Albert, Arch-Duke of Austria, for whom Aremberg was Ambassador at that time in England. And what then? He must perswade the Duke to assist the pretended Title of Arabella. From thence Cobham must go to the King of Spain, and perswade him to assist the said Title. Since the Conquest, there was never the like Treason. But out of whose Head came it? Out of Raleigh's, who must also advise Cobham to use his Brother Brook to incite the Lady Arabella to write three several Letters, as aforesaid in the Indictment; all this was on the 9th of June. Then three Days, after Brook was acquainted with it: After this, Cobham said to Brook, 'twill never be well in England, till the King and his Cubs are taken away. Afterwards Raleigh deliyered a Book to Cobham, traiterously written against the Title of the King. It appears that Cobham took Raleigh, to be either a God, or an Idol. Cobham endeavours to set up a new King, or Governor. God forbid, mine Eyes should ever see so unhappy a Chance.

As for the Lady Arabella, she, upon my Conscience, hath no more Title to the Crown, than I have; which, before God, I utterly renounce.

At which
Sir Walter
smiled.

Cobham, a Man bred in England, hath no Experience Abroad.

Raleigh, a Man of great Wit, Military and a Sword-Man.

Now whether of these Persons was Bred in a hallow

low Tree, I leave to them to speak of, who can speak far better than my self.

Sir *Edward Cook*, the *Kings Attorney*. I must first, before I come to the Cause, give one Caution, because we shall often mention Persons of eminent Places, some of them great Monarchs: Whatever we say of them, we shall but Repeat what others have said of them; I mean the Capital Offenders in the Confession: we professing Law, must speak Reverently of Kings and Potentates. I perceive these Honourable Lords, and the rest of this great Assembly, are come to hear what hath been scattered upon the Wreck of Rumors; we carry a *Just* mind, to Condemn no Man but upon plain Evidence. Here is Mischief, Mischief in *summo Gradu*, Exorbitant Mischief. My Speech shall chiefly touch these three Points; *Imitation*, *Supportation*, and *Defence*.

The Imitation of Evil ever exceeds the Precedent; as on the contrary, Imitation of good, ever comes short. Mischief cannot be supported, but by Mischief; Yea, it will so multiply, that it will bring ~~all~~ to Confusion. Mischief is ever underprop'd by falsehood of foul Practices. Because all these things did concur in these Treasons, you shall understand the Main, as before you did the Bye.

The Treason of the Bye consisteth in these Points: First, That the Lord *Grey*, *Brook*, *Markham*, and the rest, intended by Force in the Night, to surprize the Kings Court, which was a Rebellion in the Heart of the Realm, yea, in the Heart of the Heart, in the Court. They intended to make him, that is a Sovereign, Subject to their Power, purposing to open the Doors with Musquets and *Calavers*, and to take also the Prince and Council. Then under the Kings Authority, to carry the King to the Tower, and to make a *Stale* of the *Admiral*; when they had the King there, to Extort three things from him.

First,

First, A Pardon for all their Treasons.

Secondly, A Toleration of the *Romish* Superstition: Which, their Eyes shall sooner fall out, than they shall ever see; for the King hath spoken these Words in the hearing of many, (*I will lose the Crown and my Life, before ever I will alter Religion.*)

And, Thirdly, To remove Councillors: In the Room of the Lord Chancellor, they would have placed one *Watson* a Priest, absurd in Humanity, and ignorant in Divinity. *Brooks*, of whom I will speak nothing, Lord Treasurer; the great Secretary must be *Markham*. A hole must be found in my Lord Chief Justices Coat.

Grey must be *Earl-Marshal*, and *Master of the Horse*, because he would have a Table in the Court: Marry, he would advance the Earl of *Worcester* to a higher Place; all this cannot be done without a Multitude.

Therefore *Watson* the Priest telleth a Resolute Man, That the King was in danger of *Puritans* and *Jesuits*; so to bring him in blind-fold into the Action: Saying, That the King is no King till he be Crowned, therefore every Man might Right his own Wrongs; but he is *Rex Natus*, his Dignity Descends as well as yours, my Lords.

Then *Watson* imposing a Blasphemous Oath, That they should swear to defend the Kings Person, to keep secret what was given them in Charge, and seek all Ways and Means to advance the Catholick Religion. Then they intend to send for the Lord Mayor and the Aldermen, in the King's Name, to the *Tower*, lest they should make any Resistance, and then to make Hostages of them; and to enjoyn them to provide for them Victuals and Munition. *Grey*, because the King removed before *Midsummer*, had a further Reach, to get a Company of Swordmen to affist the Action: Therefore he would stay, till he had obtain'd a Regiment from *Ostend*. So you

see, these Treasons were like Sampson's Foxes, which were joyned in their Tale, tho' their Heads were severed.

Raleigh, I pray remember, I am not charged with the Bye, being the Treason of the Priest.

Attorney. You are not: You shall observe three things in the Treasons. First, They had a Watch-word (the King's Safety) their Pretence was *Bonum in se*, their Intent was *Malum in se*.

Secondly, They avouched Scripture, both the Priests had, *Scriptum est*; perverting and ignorantly mistaking the Scriptures.

Thirdly, They avouched the Common Law to prove, That he was no King till he was Crowned, alledging a Statute of 13 Eliz. This, by way of Imitation, hath been the course of all Traytors.

In the 20th of Edward the 2d. Isabella the Queen, and the Lord Mortimer, gave out, That the King's Person was not safe, for the good of the Church and Common-wealth.

The Bishop of Carlisle did Preach on this Text, (*My Head is grieved*) meaning by the Head, the King; that when the Head began to be Negligent, the People might reform what is amiss.

3d. Henry 4th. Sir Roger Claringdon accompanied with two Priests, gave out, that Richard the 2d. was Alive, when he was Dead.

Edward the 3d. caused Mortimer's Head to be cut off, for giving counsel to Murther the King.

The 3. Henry 7. Sir Henry Stanly found the Crown in the Dust and set it on the King's Head; when Fitzwater and Garret told him, that Edw. the 5th was alive, he said, *If I be alive, I will assist him.* But this cost him his Head.

Edmond de la Pool, Duke of Suffolk, killed a Man in the Reign of King Henry the 7th, for which the King would have him hold his Hand at the Bar, and then pardoned him. Yet he took such Offence thereat, that he sent to the Noblemen, to help to Reform the

the Common-wealth ; and then said, he would go to *France* and get Power there. Sir *Roger Compton* knew all the Treason, and discovered *Windon* and others, that were Attainted.

Temp. Eliz. Appleyard, a Traytor in *Norfolk*, said a Man must have two Accusers. *Helmes* was the Man that accused him ; but Mr. *Just. Catlin* said, that that Statute was not in force at that day, his words were (*thrust her into the Ditch.*)

Throgmorton, in the 12th, or 20th. (Quere the Statute) speaking of Accusers, maketh this difference : An Accuser is a Speaker by Report, when a Witness can speak nothing but by his own Report.

If a Man do accuse himself, it is more forcibly than many Witnesses. So then, so much by way of Imitation. This is the way of all Proceedings, there is Treason in the Heart, in the Hand, in the Mouth, in Consummation.

The Wisdom of the Law meeteth with them all, *Corde, Ore, Progressione, Consummatione*; that which is in *Corde*, is the Root. You must take away Treason in the Root, in the Bud, in the Blossom.

Now I come to your Charge, you of the Jury, in *Determinatione finis*, and *Electione mediorum*. The greatness of Treason is to be considered in these two things, *Determinatione finis*, and *Electione mediorum*; this Treason excelleth in both, for that it was to Destroy the King and his Progeny. These Treasons are said to be *Crimen læse Majestatis*, this goeth further, and may be termed *Crimen extirpanda Regie Majestatis & totius Progeniei sue*. I shall not need, my Lords, to speak any thing concerning the King, nor of the Bounty and Sweetness of his Nature, whose Thoughts are Innocent, whose Words are full of Wisdom and Learning, and whose Works are full of Honour ; although it be a true saying, *Nunquam nimis, quod nunquam satis*. But to whom do you bear your Malice ? to the Children ?

Raleigh. To whom speak you this? You tell me News I never heard of.

Attorney. Oh Sir, do I? I will prove you the Notoriousest Traytor that ever came to Bar. After you have taken away the King, you would alter Religion: as you Sir *Walter Raleigh*, have followed them of the Bye in Imitation; for I will charge you with the Words.

Raleigh. Your words cannot Condemn me, my Innocency is my Defence: Prove one of these things wherewith you have Charged me, and I will confess the whole Indictment; and that I am the Horriblest Traytor that ever lived, and worthy to be Crucified with a thousand thousand Torments.

Attorney. Nay, I will prove all: Thou art a Monster, thou hast an *English* Face, but a *Spanish* Heart. Now you must have Money: *Aremberg* was no sooner in *England*,

(I Charge thee *Raleigh*) but thou incitedst *Cobham* to go unto him, and to deal with him for Money, to bestow on discontented Persons.

Raleigh. Let me Answser.

Attorney. Thou shalt not.

Raleigh. It concerneth my Life.

Lord Chief Justice Popham. Sir *Walter Raleigh*, Mr. *Attorney* is but yet in the General, but when the Kings Council have given the Evidence wholly, you shall Answer every particular.

Attorney. Oh! do I touch you?

Lord Cecil. Mr. *Attorney*, when you have done with this General Charge, do you not mean to let him answer to every particular.

Attorney. Yes, when we deliver the Proofs to be Read. *Raleigh* procured *Cobham* to go to *Aremberg*, which he did by his Instigation: *Raleigh* supped with *Cobham* before he went to *Aremberg*, after Supper, *Raleigh* conducted him to *Durham* House; from whence *Cobham* went with *Lawrencey*, a Servant of

Aremberg's

Aremberg's, unto him, and went in by a Back-way. *Cobham* could never be quiet until he had entertain'd this Motion, for he had four Letters from *Raleigh*. *Aremberg* answered, and promised it should be performed, but knew not to whom it should be distributed. *Cobham* and *Lawrency* came back to *Durham* House, where they found *Raleigh*. *Cobham* and *Raleigh* went up, and left *Lawrency* below, where they had secret Conference in a Gallery, and after *Cobham* and *Lawrency* departed from *Raleigh*. Your Reason was Peace! What is that? Spanish Invasion, Scottish Subversion. And again, you are not a fit Man to take so much Money for procuring of a Lawful Peace, for Peace procured by Money is dishonourable. Then *Cobham* must go to *Spain*, and return by *Jersey*, where you were Captain: And then because *Cobham* had not so much Policy, or at least Wickedness as you, he must have your advice for the distribution of the Money. Will you dispose of so good a King, Lineally descended? For he came of *Elizabeth*, Eldest Daughter of *Edward* the 4th. why then must you set up another? I think you meant to make *Arabella* a Titular Queen, of whose Title I will speak nothing, but sure you meant to make her a Stale: Ah good Lady! you could mean her no good.

Raleigh, You tell me News, Mr. Attorney.

Attorney. Oh Sir! I am the more large, because I know with whom I deal: For we have to deal to Day with a Man of Wit.

Raleigh. Did I ever speak with this Lady?

Attorney. I will Track you out before I have done: Englishmen will not be led by perswasion of Words, but they must have Books to perswade.

Raleigh. The Book was Written by a Man of your Profession, Mr. Attorney.

Attorney. I would not have you Impatient.

Raleigh. Methinks you fall out with your self, I say nothing.

Attorney.

Attorney. By this Book, you would perswade Men that he is not the Lawful King. Now let us consider some Circumstances: You know my Lord Cobham (for whom we all Lament, and Rejoyce; Lament in that his House, which hath stood so long Unspotted, is now Ruinated: Rejoyce, in that his Treasons are revealed) is neither Politician nor Swordman; *Raleigh* was united in the Cause with him, and therefore the cause of his Destruction. Another Circumstance is, the secret Contriving of it. *Humphry Stafford* claimed Sanctuary for Treason, *Raleigh* hath his Machivilian Policy, made a Sanctuary for Treason. He must talk with none but Cobham, because (saith he) one Witness can never Condemn me. For *Brook* said unto Sir *Griffith Markham*, take heed how you do make my Lord Cobham acquainted; for whatsoever he knoweth, *Raleigh* the Witch, will get it out of him. As soon as *Raleigh* was examined on one Point of Treason concerning my Lord Cobham, he wrote to Cobham thus: *I have been Examined of you, and Confessed nothing.* Further, you sent to him by your trusty *Francis Kemish*, that one Witness could not Condemn; and theretore bad his Lordship be of good Courage. Came this out of Cobham's Quiver? No: But out of *Raleigh's* Machivilian and Devilish Policy. Yea, but Cobham did retract it; Why then did you urge it? Now then see the most horrible Practices that ever came out of the bottomless Pit of the lowest Hell. After that *Raleigh* had Intelligence that Cobham had Accused him, he endeavoured to have Intelligence from Cobham, which he had gotten by young Sir *John Payton*: But I think it was the Error of his Youth.

Raleigh. The Lords told it me, else I had not been sent to the Tower.

Attorney. Then Cobham, by the Instigation of *Raleigh*, entred into these Actions: So that the Question will be, Whether you are not the Principallest Traytor,

tor, and he would nevertheless have entred into it? Why did Cobham Retract all that same? First, Because Raleigh was so odious, he thought he should fare the worse for his sake. Secondly, he thought, If he be free, I shall clear my self the better. After this Cobham asked for a Preacher to Confer with, pretending to have Doctor Andrews; but indeed, he meant not to have him, but Mr. Galloway; A Worthy and Reverend Preacher, who can do more with the King (as he said) than any other; that he, seeing his constant denial, might inform the King thereof. Here he plays with the Preacher. If Raleigh could perswade the Lords, that Cobham had no intent to Travel, then he thought all should be well. Here is Forgery. In the Tower Cobham must write to Sir Thomas Vane, a Worthy Man, That he meant not to go into Spain: which Letter Raleigh devised in Cobham's Name.

Raleigh. I will wash my Hands of the Indictment, and Die a true Man to the King.

Attorney, You are the absolutest Traytor that ever was.

Raleigh. Your Phrases will not prove it, Mr. Attorney.

Attorney. Cobham writeth a Letter to my Lord Cecil, and doth will Mellis, his Man, to lay it in a Spanish Bible, and to make as though he found it by chance. This was after he had Intelligence with this Viper, then he was false.

Lord Cecil. You mean a Letter intended to me, I never had it.

Attorney. No, my Lord, you had it not. You, my Masters of the Jury, respect not the Wickedness and Hatred of the Man, respect his Cause; if he be Guilty, I know you will have care of it, for the Preservation of the King, the Continuance of the Gospel Authorised, and the good of us all.

Raleigh.

Raleigh. I do not hear yet, that you have spoken one word against me, here is no Treason of mine done. If my Lord *Cobham* be a *Traytor*, what is that to me?

Attorney. All that he did was by thy Instigation, thou Viper; for I Thou thee, thou *Traytor*.

Raleigh. It becometh not a Man of your Quality and Virtue, to call me so: But I take Comfort in it, it is all you can do.

Attorney. Have I angered you?

Raleigh. I am in no case to be angry.

Popham. Sir *Walter Raleigh*, Mr. *Attorney* speaketh out of the zeal of his Duty, for the Service of the King, and you for your Life; be Patient on both sides.

Now they proceed to the Reading the Proofs.

The Lord Cobham's Examination.

' **H**E confesseth he had a Passport to go to the ' Spanish King, intending to go to the Arch-
 ' Duke to confer with him about these Practices;
 ' and because he knew he had not Money to pay
 ' his own Army, from thence he meant to go to
 ' Spain, to deal with the King for the 60000
 ' Crowns, and to return by Jersey, and that nothing
 ' should be done, until he had spoken with Sir Wal-
 ' ter *Raleigh* for distribution of the Money, to them
 ' which were discontented in *England*. At the first be-
 ' ginning he breathed out Oaths and Exclamations
 ' against *Raleigh*, calling him Villain, and *Traytor*;
 ' saying, He had never entered into these Courses,
 ' but by his Instigation, and that he would never let
 ' him alone.

Here Mr. *Attorney* willed the Clerk of the Crown-
 Office, to read over these last words again, (*he
 would never let him alone.*)

The

The Lord Cobham's Examination.

Besides, he spake of Plots and Invasions: Of the Particulars thereof he could not give an Account, tho' Raleigh and he had Conferred of them, because he was (as he said) Confounded with them. Further, he said, He was afraid of Raleigh, that when he should return by Jersey, that he would have him and the Money to the King. Being Examined of Sir Arthur Gorge, he freed him, saying:

They never durst trust him, but Sir Arthur Savage they intended to use, because they thought him a fit Man.

Raleigh. Let me see the Examination: This is all the Evidence can be brought against me; poor shifts. You Gentlemen of the Jury, I pray you understand this: This is that which must either Condemn, or give me Life; which must Free me, or send my Wife and Children to beg their Bread about the Streets: This is that must prove me a notorious Traytor, or a true Subject to the King. I never saw this Examination before.

Clerk of the Council. I did read it, and shew you all the Examinations.

Raleigh. At my first Examination by my Lords at Windsor, what I knew of Cobham's Practice with Aremberg, I answered Negatively: And as concerning Arabella, I protest before God, I never heard one word of it. If that be proved, let me be Guilty of a Thousand Treasons. It is a strange thing you will impute that to me, when I never heard so much as the Name of Arabella Stuart, but only the Name of Arabella.

After being Examined, I told my Lords, that I thought my Lord Cobham had Conference with Aremberg, I suspected his Visiting of him: For after he departed from me at Durham House, by his own

Stairs, and passed over to St. Mary-Saviours; I knew *Lawrence* a Merchant, and a Follower of *Aremberg*, and therefore likely to go unto him. My Lord *Cecil* asked my Opinion concerning *Lawrence*; I said, That if you do not Apprehend *Lawrence*, it is dangerous, he will flee; if you do Apprehend him, you shall give my Lord *Cobham* notice thereof. I was asked likewise, Who was the greatest Man with my Lord *Cobham*? I answered, I knew no Man so great with him, as young *Wyat* of *Kent*.

As soon as *Cobham* saw my Letter to have Discovered his Dealing with *Aremberg*, in his Fury he accuited me; but before he came to the Stair-foot he repented him, and said, He had done me wrong. When he came to the end of his Accusation, he added, That if he had brought this Money to *Jersey*, that I would have Delivered him to the King. Mr. *Attorney*, you said this never came out of *Cobham*'s Qyiver, he is a simple Man: Is he so simple? No: He hath Dispositions of his own, he will not easily be guided by others, but when he has once taken Head in a Matter, he is not easily drawn from it; he is no Babe. It is strange for me to Devise with *Cobham*, that he should go to *Spain*, to perswade the King to Disburse so much Money, he being a Man of no Love in *England*, and I having resigned my room of chiefest Command, the Wardenship of the *Stanneries*: It is strange for me, to make my self *Robin Hood*, or a *Kett*, or a *Cade*; I knowing *England* to be in better Estate than ever it was. I knew *Scotland* United, *Ireland* Quieted, *Denmark* Assured, which before was suspected. I knew, that having a Lady whom Time had Surprized, we had now a Lawful Successor. The State of *Spain* was not unknown to me. I had written a Discourse, which I had intended to present unto the King, against Peace with *Spain*. I knew the *Spaniard* had six Repulses, three in *Ireland*, and three at Sea, and once in 1588.

at

at *Cales*, by my Lord Admiral. I knew he was dis-
couraged and dishonoured. I knew the King of *Spain*
to be the proudest Prince living; but now he cometh
creeping to the King my Master, for Peace. I knew
whereas before he had in his Ports 6 or 7 Score Sail of
Ships, he hath now but 6 or 7. I knew of Twenty
Five Millions he had from his *Indies*, he hath scarce
one left. I knew him so poor, that the Jesuits in *Spain*
were fain to beg at the Church Door. Was it ever
read or heard, that any Prince should disburse so much
Money, without a sufficient Pawn? I knew her own
Subjects, the Citizens of *London*, would not lend her
Majesty Money without Lands in mortgage, I knew
the Queen did not lend the States Money, without
Flushing, *Brill*, and other Towns for a Pawn. And
can it be thought, he would let *Cobham* have so great
a Sum.

I never came to the Lord *Cobham's*, but about
Matters of his Profit, as the ordering of his House,
paying his Servants Board-wages, &c. I had of his
when I was examined, Four Thousand Pounds worth
of Jewels for a Purchase; a Pearl of Three Thou-
sand Pound, and a Ring worth Five Hundred Pound:
If he had had a Fancy to run away, he would not
have left so much to have purchased a Lease in *Fee-*
Farm. I saw him buy Three Hundred Pounds
worth of Books, to send to his Library at *Canterbury*,
a Cabinet of Three Hundred Pound to give to Mr.
Attorney, for drawing the Conveyances; and God
in Heaven knoweth, not I, whether he intended to
travel. But for that Practice with *Arabella*, or Let-
ters to *Aremberg*, or any Discourse with him, or in
what Language he spake unto him, if I knew any of
these things, I would absolutely confess the Indictment,
and acknowledge my self worthy a Thousand Deaths.

Cobham's Examination Read.

The Lord *Cobham* being required to subscribe to an

Examination, there was shewed a Note under *Raleigh's* Hand, whereupon, when he had perused it, he paused, and after brake forth into these Speeches: Oh Wretch! Oh Traytor! I will now tell you all the Truth: And then, His Purpose was to go into *Flanders*, and into *Spain*, for the obtaining the aforesaid Money, and that *Raleigh* had appointed to meet him in *Jersey* as he returned home, to be advised of him about the Distribution of the Money.

Popham, Lord Chief Justice. When *Cobham* answered Interrogatories, he made Scruple to subscribe, and being urged to it, he said, if he might hear me affirm, that a Person of his Degree ought to set his Hand, he would; I lying then at *Richmond*, for fear of the Plague, was sent for, and I told he ought to subscribe; otherwise it were a Contempt of a High Nature: Then he subscribed. The Lords questioned with him further, and he shewed them a Letter, as I thought written to me, but it was indeed written to my Lord *Cecil*: He desired to see the Letter again, and then said, Oh Wretch! Oh Traytor! whereby I perceived you had not performed that Trust he had reposed in you.

Raleigh. He is as passionate a Man as lives, for he hath not spared the best Friends he hath in *England*. My Lords, I take it, he that hath been examined, hath ever been asked if it be according to his meaning, and then to subscribe. Methinks, my Lords, when he accuses a Man, he should give some Account and Reason of it; it is not sufficient to say, we talked of it. If I had been the Plotter, would not I have given *Cobham* some Arguments, whereby to perswade the King of *Spain*, and answer his Objections. I knew *Westmorland* and *Bothwell*, Men of other Understandings than *Cobham*, were ready to beg their Bread.

Sir Thomas Fowler, one of the Jury. Did Sir Walter *Raleigh* write a Letter to my Lord before he was examined concerning him? *Attorney.* Yes.

Lord

Lord Cecil. I am in great Dispute with my self, to speak in the Case of this Gentleman: A former Dearness between me and him tied so firm a Knot of my Conceit of his Virtues, now broken by a Discovery of his Imperfections. I protest, did I serve a King that I knew would be displeased with me for speaking, in this Case I would speak, whatever came of it: But seeing he is compacted of Piety and Justice, and one that will not mislike of any Man for speaking a Truth, I will answer your Question.

Sir Walter Raleigh was staid by me at *Windsor*, upon the first News of *Copley*, that the King's Person should be surprized by my *Lord Grey*, and *Mr. George Brook*; when I found *Brook* was in, I suspected *Cobham*, then I doubted *Raleigh* to be a Partaker: I speak not this, that it should be thought, I had greater Judgment than the rest of my Lords, in making this haste to have him examined; *Raleigh* following to *Windsor*, I met with him upon the *Taras*, and willed him as from the King, to stay, saying, the Lords had something to say to him: Then he was examined, but not concerning my *Lord Cobham*, but of the surprising Treason; what he said of *Cobham*, he delivered unto us in such sort as of a Brother he might: We sent for my *Lord Cobham* to *Richmond*, where he stood upon his Justification, and his Quality; sometimes being foward, he said he was not bound to subscribe, wherewith we made the King acquainted. *Cobham* said, if my *Lord chief Justice* would say it were a Contempt, he would subscribe; whereof being resolved, he subscribed. There was a Light given to *Aremberg*, that *Lawrence* was examined; but that *Raleigh* knew that *Cobham* was examined, is more than I know.

Raleigh. If my *Lord Cobham* had trusted me in the Main, was not I as fit a Man to be trusted in the Bye.

Lord Cecil. Raleigh did by Letters acquaint us, that my Lord Cobham had sent Lawrence to Aremberg, when he knew not he had any Dealings with him.

Lord H. How. It made for you, if Lawrence had been only acquainted with Cobham, and not with you. But you knew his whole Estate, and were acquainted with Cobham's Practice with Lawrence; it was known before that Lawrence depended on Aremberg.

Attorney. 1. Raleigh protesteth against the surprising Treason. 2. That he knew not of the Matter touching Arabella. I would not charge you, Sir Walter, with a Matter of Falshood: You say, you suspected the Intelligence that Cobham had with Aremberg, by Lawrence.

Raleigh. I thought it had been no other Intelligence, but such as might be warranted.

Attorney. Then it was but lawful Suspicion. But to that whereas you said, that Cobham had accused you on Passion, I answer, three ways. 1. I observed when Cobham said, let me see the Letter again; he pawsed, and when he did see that Count Aremberg was touched, he cryed out, *Oh Traytor! Oh Villain!* Now will I confess the whole Truth. 2. The Accusation of a Man on Hear-say, is nothing: Would he accuse himself on Passion, and ruinate his Cause and Posterity, out of Malice to accuse you? 3. Could this be out of Passion? Mark the Manner of it: Cobham had told this at least two Months before to his Brother Brook, *you are Fools, you are on the Bye, Raleigh and I are on the Main, we mean to take away the King and his Cubs*; this he delivered two Months before. So mark the manner of the Matter, he would not turn the Weapon against his own Bosom, and accuse himself to accuse you.

Raleigh. Hath Cobham confessed that?

Lord chiefe Justice. This is spoken by Mr. Attorney, to prove that Cobham's Speech came not out of Passion.

Raleigh. Let it be proved that Cobham said so.

Attorney.

Attorney. Cobham saith, he was a long Time doubtful of Raleigh, that he would send him to the King. Did Cobham fear lest you would betray him in Jersey? Then of Necessity there must be trust between you. No Man can betray a Man, but he that is trusted, in my Understanding. This is the greatest Argument to prove, that he was acquainted with Cobham's Proceedings. Raleigh hath a deeper Reach than to make himself, as he said, Robin Hood, a Ket or Cade, yet I never heard that Robin Hood was a Traytor; they say he was an Out-law. And whereas he saith, that our King is not only more wealthy and potent than his Predecessors, but also more Politick and Wise, so that he could have no Hope to prevail. I answer, there is no King so Potent, Wise, and Active, but he may be overtaken through Treason. Whereas you say Spain is so poor, discoursing so largely thereof, it had been better for you to have kept in Guiana, than to have been so well acquainted with the State of Spain. Besides, if you could have brought Spain and Scotland to have joyned, you might have hope to prevail. For his six Overthrows, I answer; He hath the more Malice, because Repulses breed Desire of Revenge. Then you say, you never talked with Cobham but about Leases, and Letting Lands, and Ordering his House; I never knew you Clerk of the Kitchin, &c. If you had fallen on your Knees at first, and confessed the Treason, it had been better for you. You say, he meant to have given me a Cabinet of Three Hundred Pound, perhaps he thought by those means, to have anticipated me therewith. But you say, all these are Circumstances. I answer, all this Accusation in Circumstance is true: Here now I might appeal to my Lords, that you take hold of this, that he subscribed not to the Accusation.

Lord H. How. Cobham was not then pressed to subscribe.

Attorney. His Accusation being testified to the Lords, is of as great Force, as if he had subscribed. *Raleigh* saith again, if the Accuser be alive, he must be brought Face to Face to speak, and alledges 25. *Edw.* 3. That there must be sufficient Witness that must be brought Face to Face before the Accused, and alledgeth 10. and 13. *Eliz.*

Raleigh. You try me by the Spanish Inquisition, if you proceed only by the Circumstances without two Witnesses.

Attorney. This is a Treasonable Speech.

Raleigh. *Evertere hominem Justum in causa tua; Injustum est:* Good my Lords, let it be proved either by the Laws of the Land, or by the Laws of God, that there ought not to be two Witnesses appointed; yet I will not stand to defend this Point in Law, if the King will have it so: It is no rare Thing to be falsely Accused. A Judge condemned a Woman in *Sarum*, for killing her Husband, on the Testimony of one Witness; afterwards his Man confessed the Murther, when she was Executed. Who after being touch'd in Conscience for the Judgment, was used to say, *Quod nunquam de hoc facto animam in Vita sua purgaret.* It is also commanded by the Scripture, *Deut.* 17. *In Ore duorum aut Trium Testium, &c. and 19. Non stabit unus Testis, contra aliquem, &c.*

If Christ requireth it, as it appeareth, *Mat.* 18. if St *Paul* 2 *Cor.* 13. St. *John*, &c. If by the Statute, Civil Law, and Gods Word, if it be required that there must be two Witnesses at the least, bear with me if I desire one.

I would not desire to live, if I were privy to *Cobham's* Proceedings; I had been a Slave, a Villain, a Fool, if I had endeavoured to set up *Arabella*, and refused so Gracious a Lord and Sovereign: But urge your Proofs.

Lord Chief Justice. You offered Questions on divers Statutes, all which mention two Accusers in Case

Case of Indictments; you have deceived your self, for the Laws of 25. Ed. 3. and 5. Ed. 6. are Repeal'd. It sufficeth now if there be Proofs made either under Hand, or by Testimony of Witnesses, or by Oaths; it needs not the Subscription of the Party, so there be Hands of Credible men, to Testifie the Examination.

Raleigh. It may be an Error in me, and if those Laws be Repeal'd; yet I hope the Equity of those Laws remain still, but if you Affirm it, it must be a Law to Posterity; the Proof of the Common Law is by Witness and Jury, let *Cobham* be here, let him speak it: Call my Accuser before my Face, and I have done.

Attorney. *Scientia sceleris est mixta Ignorantia:* You have read the Letter of the Law, but understand it not. Here was your Anchor hold, and your Rendezvous, you trust to *Cobham*, either *Cobham* must accuse you, or not accuse you; if he did, then it would not hurt you, because he is but one Witness; if he did not, then you are safe.

Raleigh. If ever I read word of the Law, or Statute before I was Prisoner in the Tower, God confotind me.

Attorney. Now I come to Prove the Circumstances of the Accusation to be true. *Cobham* confessed he had a Pass-port to Travel, hereby intending to present Overtures to the Arch-Duke, and from thence to go to *Spain*, and there to have Conference with the King for Money: You say, he promised to come Home by *Jersey*, to make Merry with you and your Wife.

Raleigh. I said in his return from *France*, not *Spain*.

Attorney. Further, in his Examination, he saith nothing could be set down for the Distribution of the Money to the Discontented, without Conference with *Raleigh*. You said it should have been for procurement of Peace, but it was for raising Rebellion. Further, *Cobham* saith, he would never have entred into these Courses, but by your Instigation, and that you would never let him alone. Your Scholar was

not apt enough to tell us all the Plots, that is enough for you to do, that are his Master: You intended to trust Sir *Arthur Savage*, whom I take to be an honest and true Gentleman, but not Sir *Arthur George*.

Raleigh. All this is one Accusation of *Cobham's*, I hear no other thing; to which Accusation he never subscribed nor avouched it. I beseech you, my Lords, let *Cobham* be sent for, charge him on his Soul, on his Allegiance to the King; if he affirm it, I am Guilty.

Lord Cecil. It is the Accusation of my Lord *Cobham*, it is the Evidence against you, must it not be of Force without his Subscription? I desire to be resolved by the Judges; whether by the Law it is not a forcible Argument of Evidence.

The Judges. It was.

Raleigh. The King at his Coronation, is sworn *In omnibus Judiciis suis æquitatem, non Rigorem Legis observare*: By the Rigour and Cruely of the Law, it may be a forcible Evidence.

Lord Chief Justice. That is not the Rigour of the Law, but the Justice of the Law, else when a Man hath made a plain Accusation, by Practice he might be brought to retract it again.

Raleigh. Oh my Lord! you may use Equity.

Lord Chief Justice. That is from the King, you are to have Justice from us.

Anderson. The Law is, if the Matter be proved to the Jury, they must find you Guilty; for *Cobham's* Accusation is not only against you, there are other things sufficient.

Lord Cecil. Now that Sir *Walter Raleigh* is satisfied, that *Cobham's* Subscription is not necessary; I pray you Mr *Attorney* go on.

Raleigh. Good Mr. *Attorney* be patient, and give me leave.

Lord Cecil. An unnecessary Patience is a Hindrance, let him go on with his Proofs, and then refel them.

Raleigh. I would answer particularly. *Lord*

Lord Cecil. If you would have a Table, and Pen and Ink, you shall.

Then Paper and Ink was given him.

Here the Clerk of the Crown read the Letter which the Lord Cobham did write in July, which was to the Effect of his former Examination, further saying, *I have disclosed all; to accuse any falsely, were to burthen my own Conscience.*

Attorney. Read Copies Confession the 8th of June, he saith, *He was offered a 1000 Crowns to be in this Action.*

Here Watson's Additions were read.

The great Mass of Money from the Count was impossible, saith Brook's

Brook's his Confession read.

There have Letters passed, saith he, between Cobham and Aremberg, for a great Sum of Money, to assist a second Action, for the surprising of his Majesty.

Attorney. It is not possible, it was of Passion; for it was in Talk before three Men being severally examined, who agreed in the Sum to be bestowed on disaffected Persons. That Grey should have 12000 Crowns, and Raleigh should have 8000, or 10000 Crowns.

Cobham's Examination, July 18.

If the Money might be procured (saith he) then a Man may give Pensions. Being ask'd if a Pension should not be given to his Brother Brook, he denied it not.

Lawrence's Examination.

Within five Days after Aremberg arrived, Cobham resorted unto him. That Night that Cobham went to Aremberg with Lawrence, Raleigh supped with him.

Attorney. Raleigh must have his Part of the Money, therefore now he is a Traytor. The Crown shall never stand one Year on the Head of the King, (my Master) if a Traytor may not be condemned by Circumstances. For if A. tells B. and B. tells C. and C. D. &c. you shall never prove Treason by two Witnesses.

Raleigh's Examination was read.

He confesseth Cobham offered him 8000 Crowns, which he was to have for the Furtherance of the Peace, between England and Spain; and that he should have it within three Days. To which, he said, he gave this Answer, *When I see the Money, I will tell you more; for I had thought it had been out of his ordinary idle Conceipts, and therefore made no account thereof.*

Raleigh. The Attorney hath made a long Narration of Copley, and the Priests, which concerns me nothing, neither know I how Cobham was altered. For he told me *If I would agree to the Peace, he would get me 8000 Crowns.* I asked him, *Who shall have the rest of the Money?* He said, *I will offer such a Noble Man (who was not named) some of the Money.* I said, *He will not be perswaded by you, and will extreamly hate you for such a Motion.* Let me be pinched to Death with hot Irons, if ever I knew there was any Intention to bestow the Money on discontented Persons. I had made a Discourse against the Peace, and would have Printed it: If Cobham changed his mind, if the Priests, if Brock had any such Intent, what is that to me? They must answer for it. He offered me the Money before Aremberg came, that is Difference of time.

Sergeant Phillips. Raleigh confesseth the Matter, but avoideth it, by distinguishing of Times. You said it was offered you before the coming of Aremberg; which is false. For you being Examined whether you should have such Money of Cobham, or not: You said *Yea*, and that you should have it within two or three Days. *Nemo moriturus præsumitur mentiri.*

Lord Hen. How. Alledge me any Ground or Cause, wherefore you gave Ear to my Lord Cobham for receiving Pensions, in Matters you had not to deal with?

Raleigh. Could I stop my Lord Cobham's Mouth.

Lord Cecil. Sir Walter Raleigh presseth, that my Lord Cobham should be brought Face to Face. If he asks things of Favour and Grace, they must come only from him that gives them. If we sit here as Commissioners,

sioners, how shall we be satisfy'd whether he ought to be brought, unless we hear the Judges speak?

Lord Chief Justice. This Thing cannot be granted, for then a Number of Treasons should flourish: The Accuser may be drawn by Practice, whilst he is in Person.

Judge Gaudy. The Statute you speak of, concerning two Witnesses, in case of Treason, is found to be inconvenient; therefore by another Law it was taken away.

Raleigh. The common Trial of *England*, is by Jury and Witnesses.

Lord Chief Justice. No, by Examination: If three Conspire a Treason, and they Confess it; here is never a Witness, yet they are condemned.

Judge Warburton. I marvel, Sir *Walter*, that you being of such Experience and Wit, should stand on this Point; for so, many Horse-stealers may escape, if they may not be condemn'd without Witnesses. If one should rush into the King's Privy-Chamber, whilst he is alone, and kill the King (which God forbid) and this Man be met coming with his Sword drawn all bloody; Shall not he be condemn'd to Death? My Lord *Cobham* hath, perhaps, been labour'd withal; and to save you, his old Friend, it may be that he will deny all that which he hath said.

Raleigh. I know not how you conceive the Law.

Lord Chief Justice. Nay, we do not conceive the Law, but we know the Law.

Raleigh. Indeed where the Accuser is not to be had conveniently, I agree with you; but here my Accuser may, he is alive, and in the House. *Susanna* had been Condemn'd, if *Daniel* had not cried out: *Will you condemn an innocent Israelite, without Examination or Knowledge of the Truth?* Remember it is absolutely the Commandment of God: If a false Witness rise up, you shall cause him to be brought before the Judges, if he be found false, he shall have the Punishment which the Accused should have had. It is very sure for my

Lord

Lord to Accuse me is my certain Danger, and a means to excuse himself.

Lord Chief Justice. There must not such a Gap be opened for the Destruction of the King, as would be, if we should grant this. You plead hard for your self, but the Laws plead as hard for the King. I did never hear that Course to be taken in a Case of Treason. There hath been Intelligence between you, and what under-hand Practices there may be, I know not. If the Circumstances agree not with the Evidence, we will not Condemn you.

Raleigh. The King desires nothing but the Knowledge of the Truth, and would have no advantage taken by Severity of the Law. If ever we had a Gracious King, now we have ! I hope, as he is, such are his Ministers. If there be but a Trial of five Marks at the Common Law, a Witness must be depos'd. Good my Lords, let my Accuser come Face to Face, and be deposed.

Lord Chief Justice. You have no Law for it: God forbid any Man should accuse himself, upon his Oath.

Attorney. The Law presumes, a Man will not accuse himself to accuse another. You are an odious Man : For *Cobham* thinks his Cause the worse, that you are in it. Now you shall hear of some Stirs to be rais'd in Scotland.

Part of Copies Examination.

" Also *Watson* told me, that a special Person told " him, that *Aremberg* offered to him a Thousand " Crowns ; and that *Brook* said, the Stirs in Scotland " came out of *Raleigh's* Head.

Raleigh. *Brook* hath been taught his Lesson.

Lord H. How. This Examination was taken before me ; Did I teach him his Lesson ?

Raleigh. I protest before God, I meant it not by any Privy Councillor.

Raleigh's Examination.

" The way to Invade England, were to begin with " stirs in Scotland.

Raleigh.

Raleigh. I think so still: I have spoken it to divers of the Lords, by way of Discourse and Opinion.

Attorney. Now let us come to those words of *Destroying the King and his Cubs.*

Raleigh. O barbarous! If they like unnatural Villains should use those Words, shall I be charged with them? I will not hear it, I was never False to the Crown of England. I have spent 40000 Crowns of mine own, against the Spanish Faction, for the Good of my Country. Do you bring the words of these Hellish Spiders, Clark, Watson, and others, against me?

Attorney. Thou hast a Spanish Heart, and thy self art a Spider of Hell; for thou confessest the King to be a most Sweet and Gracious Prince, and yet hast Conspired against him.

Watson's Examination Read.

He said, That George Brook told him twice, That his Brother, the Lord Cobham said to him, That you are but on the Bye, but Raleigh and I are on the Main.

Brook's Examination Read.

Being askt what was meant by this Jargon the Bye and the Main, he said, That the Lord Cobham told him, That Grey and others, were in the Bye, he and Raleigh were on the Main. Being askt what Exposition his Brother made of these Words, he said, He is loath to Repeat it. And after saith, by the Main, was meant, the taking away of the King and his Issue. And thinks on his Conscience, it was infused into his Brother's Head by Raleigh.

Cobham's Examination Read.

Being askt if ever he had said, It will never be well in England, till the King and his Cubs were taken away. He said, He had answered before, and that he would answer no more to the Point.

Raleigh. I am not named in all this: There is a Law of two Accusers, one of his own Knowledge, another by Hear-say.

Earl of Suffolk. See the Case of Arnold.

Lord Chief Justice. It is the Case of Sir William Thomas, and Sir Nicholas Arnold.

Raleigh.

Raleigh. If this may be, you will have any Man's Life in a Week.

Attorney. *Raleigh* saith, That *Cobham* was in a Passion when he said so. Would he tell his Brother any thing of Malice against *Raleigh*, whom he lov'd as his Life?

Raleigh. *Brook* never loved me; untill his Brother had accus'd me, he said nothing.

Lord Cecil. We have heard nothing that might lead us to think, that *Brook* accused you, he was only in the Surprising Treason; for by accusing you, he should accuse his Brother.

Raleigh. He doth not care much for that.

Lord Cecil. I must judge the best. The Accusation of his Brother was not Voluntary; he pared every thing, as much as he could, to save his Brother.

Cobham's Examination Read.

He saith, *He had a Book written against the Title of the King, which he had of Raleigh, and that he gave it to his Brother:* *Raleigh* said, *It was foolishly written.*

Attorney. After the King came within Twelve Miles of London, *Cobham* never came to see him, and intended to Travel without seeing the Queen, and the Prince: Now in this Discontentment, you gave him the Book, and he gave it to his Brother.

Raleigh. I never gave it him, he took it off my Table. For I well remember, a little before that Time, I receiv'd a Challenge from Sir *Amias Preston*, and for that I did intend to Answer it, I resolved to leave my Estate settled, therefore laid out all my loose Papers, amongst which was this Book.

Attorney. I observe there was Intelligence between you and *Cobham* in the Tower; for after he said, *It was against the King's Title*, he denied it again.

Sir William Wade. First my Lord *Cobham* confesseth it, and after he had Subscrib'd it, he revoked it again: To me he always said, *That the Drift of it was against the King's Title.*

Raleigh. I protest before God, and his Works, I gave him not the Book.

Nota.

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Nota. Sir Robert Wroth speaketh, or whispereth something secretly.

Attorney, My Lords, I must complain of Sir Robert Wroth, he says this Evidence is not Material.

Sir Robert Wroth, I never spake the Words.

Attorney, Let Mr. Serjeant Philips testify whether he heard them ?

One of the Commissioners then said, I will give my Word for Sir Robert Wroth.

Sir Robert Wroth, I will speak as truly as you, Mr. Attorney, for by God, I never spake it.

Lord Chief Justice, Wherefore should this Book be burnt ?

Raleigh. I burned it not.

Serj. Philips, You presented your Friend with it, when he was discontented. If it had been before the Queen's Death, it had been a less matter ; but you gave it him presently when he came from the King, which was the Time of his Discontentment.

Raleigh, Here is a Book supposed to be Treasonable ; I never read it, nor urged it.

Attorney, This is cunning.

Raleigh, Every thing that doth make for me is cunning, and every thing that maketh against me is probable.

Attorney, Lord Cobham saith, that Kemish came to him with a Letter torn, and did wish him not to be dismaid, for one Witness could not hurt him.

Raleigh, This poor Man hath been close Prisoner this Eighteen Weeks ; he was offered the Rack to make him confess. I never sent any such Message by him, I only writ to him, to tell him what I had done with Mr. Attorney ; having of his at that Time a great Pearl, and a Diamond.

Lord H. Howard, No Circumstance moveth me more than this. Kemish was never on the Rack,

Commissioners. We protest before God, there was
no such matter intended, to our Knowledges.

Raleigh. Was not the Keeper of the Rack sent
for, and he threatned with it?

Sir William Wade, When Mr. Sollicitor and my
self examined *Kemish*, we told him he deserved
the Rack, but did not threaten him with it.

Commissioners. It was more then we knew,
Cobham's Examination Read.

" He said, *Kemish* brought him a Letter from
" *Raleigh*, and that part which was concerning
" the Lords of the Council, was rent out; that he
" was examined, and cleared him of all; and that
" the Lord *H. Howard* said, because he was discon-
" tent, he was fit to be in the Action. And further,
" that *Kemish* said to him from *Raleigh*, that he
" should be of good Comfort, for one Witness could
" not condemn a Man for Treason.

Lord Cecil. *Cobham* was asked when he heard
from you, he said, *Every Day.*

Raleigh. *Kemish* added more, I never bad him
speak these words.

Nota. Mr. Attorney offered to interupt him.

Lord Cecil It is his last Discourse. Give him
leave Mr. Attorney.

Raleigh. I am accused concerning *Arabella* con-
cerning Money out of *Spain*. My Lord Chief Ju-
stice saith, a Man may be Condemned with one
Witness, yea with out any Witness. *Cobham* is
Guilty of many things, *Conscientia mille Testes*. He
hath accused himself, what can he hope for but
Mercy? My Lords, vouchsafe me this Grace. Let
him be brought, being alive, and in the House;
let him avouch any of these things, I will confess
the whole Indictment, and Renounce the Kings
Mercy.

Lord

Lord Cecil. Here hath been a touch of the Lady *Arabella Stuart*, a near Kinswoman of the Kings. Let us not Scandal the innocent by confusion of Speech: She is as innocent of all these things as I, or any Man here; only she received a Letter from *Cobham*, to prepare her; which she Laught at, and immediately sent it to the King. So far was she from Discontentment, that she Laught him to scorn. But you see how far the Count of *Aremberg* did consent.

The Lord Admiral (Nottingham) being by in a Standing with the Lady Arabella, spake to the Court.

The Lady doth here protest upon her Salvation, that she never dealt in any of these things.

Lord Cecil. The Lord *Cobham* wrote to my Lady *Arabella*, to Know if he might come to speak with her, and gave her to understand, that there were some about the King, that laboured to Disgrace her; she doubted it was but a Trick. But *Brook* saith his Brother moved him to procure *Arabella* to Write Letters to the King of *Spain*: But he saith, he never did it.

Raleigh. the Lord *Cobham* hath accused me, you see in what manner he hath Forsworn it. Were it not for his Accusation, all this were nothing. Let him be asked, if I knew of the Letter which *Lawrence* brought to him from *Aremberg*. Let me speak for my Life, it can be no hurt for him to be brought; he dares not Excuse me. If you grant me not this Favour, I am strangely used. *Campion* was not denied to have his Accusers face to face.

Lord Chief Justice. Since he must needs have Justice, the Acquitting of his old Friend may move him to speak otherwise than the truth.

Raleigh. I have been the Infuser of all these Treasons into him. You Gentlemen of the Jury, mark this, he said I have been the Cause of all his Miseries, and the Destruction of his House; and

that all Evil hath happened unto him, by my wicked Counsel, if this be true, whom hath he cause to Accuse and to be Revenged on, but on me ? And I know him to be as Revengeful, as any Man on Earth.

Attorney. He is a Party, and may not come, the Law is against it.

Raleigh. It is a Toy to tell me of Law. I defy Law, I stand on the Fact.

Lord Cecil. I am afraid my often Speech (who am inferior to my Lords here present) will make the World think, I delight to hear my self Talk. My affection to you, Sir Walter Raleigh, was not extinguished but slacked, in regard of your deserts. You know the Law of the Realm; (to the which your mind both not content) that my Lord Cobham cannot be brought.

Raleigh. He may be, my Lord.

Lord Cecil. But do you Challenge it ?

Raleigh. No.

Lord Cecil. You say that my Lord Cobham, your main Accuser, must come to accuse you. You say, he hath retracted: I say many Particulars are not retracted, what the Validity of all this is, is merely left to the Jury. Let me ask you this, If my Lord Cobham will say, you were the only Instigator of him to proceed in the Treasons, dare you put yourself on this ?

Raleigh. If he will speak it before God and the King, that ever I knew of *Arabella's* Matter, or the Money out of *Spain*, or of the Surprising Treason; I put myself on it, God's Will and the King's be done with me.

Lord H. Howard. How if he speak things Equivalent to that you have said ?

Raleigh. Yes in a main Point.

Lord Cecil. If he say, you have been the Instigator of him to deal with the *Spanish* King, had not the Council cause to draw you hither ? *Ra-*

Raleigh. I put my self on it.

Lord Cecil. Then, Sir *Walter Raleigh*, think on God, and prepare yourself ; for I do verily believe, my Lords will Prove this. Excepting your Faults (I call them no worse) by God, I am your Friend. The Heat and Passion in you, and the Attorney's Zeal in the King's Service, makes me speak this.

Raleigh. Whosoever is the Workman, it is reason he should give Account of his Work to the Work-Master. But let it be proved that he acquainted me with any of his Conferance with *Aremberg* : He would surely have given me some Account.

Lord Cecil. That follows not. If I set you on Work, and you give me no Account, am I therefore Innocent ?

Attorney. For *Arabella*, I said she was never acquainted with the Matter. Now that *Raleigh* had Conferance in all these Treasons, it is manifest ; The Jury hath heard the Matter. There is one *Dyer*, a Pilot, that being in *Lisbon*, met with a *Portugal* Gentleman, who asked him if the King of *England* were crowned yet ? To whom he answered, *I think not yet, but he shall be shortly*. Nay saith the *Portugal*, that shall he never be, for his Throat will be cut by *Don Raleigh*, and *Don Cobham*, before he be crowned.

Dyer was called and sworn, and delivered this Evidence.

Dyer. I came to a Merchant's House in *Lisbon*, to see a Boy that I had there ; there came in a Gentleman into the House, and inquiring what Countryman I was, I said an *English* Man : Whereupon he asked me, if the King were crowned ? And I answered, that I hoped he should be so shortly. Nay, saith he, he shall never be crowned, for *Don Raleigh* and *Don Cobham*, will cut his Throat, ere that Day come.

Raleigh. What infer you upon this ?

Attorney. That your Treason hath Wings.

Raleigh,

Raleigh. If Cobham did practice with Aremberg, how could it not be known in Spain? Why did they name the Duke of Buckingham with Jack Straw's Treason, but that it was to Countenance his Treason?

Consider you Gentlemen of the Jury, there is no Cause so doubtful, which the King's Council cannot make good against the Law. Consider my Disability and their Ability: They prove nothing against me, only they bring the Accusation of my Lord Cobham, which he hath lamented and repented as heartily, as if it had been for a horrible Murther. For he knew, that all this Sorrow which should come to me, is by his means. Presumptions must proceed from Precedents or subsequent Facts. I have spent 40000 Crowns against the Spaniards. I had not purchased Forty Pounds a Year. If I had died in Guiana, I had not left 300 Marks a Year to my Wife and Son. I that have always condemned the Spanish Faction, methinks it is a strange thing that now I should affect it! Remember what St. Austin says, *Sic Judicare tanquam ab alio mox Judicandi; unus iudex, unum Tribunal.* If you would be contented on Presumptions delivered to be slaughtered, to have your Wife and Children turned into the Streets to beg their Bread: If you would be contented to be so judged, judge so of me.

Serj. Philips. I hope to make this so clear, as that the Wit of Man shall have no colour to answer it. The Matter is Treason in the highest Degree, the end to deprive the King of his Crown. The particular Treasons are these: *First*, To raise up Rebellion, and to effect that, to procure Money; to raise up Tumults in Scotland, by divulging a treasonable Book against the King's Right to the Crown; the purpose to take the Life of his Majesty and his Issue. My Lord Cobham

Cobham confesseth Sir *Walter Raleigh* Guilty thereof. The Question is, whether he be Guilty as joyning with him, or instigating of him? The Course to prove this, was by my Lord *Cobham's* Accusation. If that be true, he is Guilty; if not, he is Clear. So, whether *Cobham* say true, or *Raleigh*? That is the Question. *Raleigh* hath no Answer, but the Shadow of as much Wit, as the Wit of Man can devise. He useth his bare Denial; the denial of a Defendant must not move the Jury. In the Star-Chamber, or in the Chancery, for matter of Title, if the Defendant be called in Question, his denial on his Oath is no Evidence to the Court to clear him, he doth it in *Propria causa*. Therefore much less in Matters of Treason. *Cobham's* Testification against him before then, and since, hath been largely dis-coursed.

Raleigh. If Truth be constant, and Constancy be in Truth, Why hath he forsworn that, that he hath said? You have not proved any one Thing by direct Proofs, but all by Circumstances.

Attorney. Have you done? The King must have the last.

Raleigh. Nay, Mr. *Attorney*, he which speaketh for his Life must speak last. False Repetitions and Mistakings must not mar my Cause. You should speak *Secundum allegata & probata*. I appeal to God and the King, whether *Cobham's* Accusation be sufficient to Condemn me.

Attorney. The King's Safety, and your clearing, cannot agree. I protest, I never knew a clearer Treason.

Raleigh. I never had Intelligence with *Cobham* since he came to the Tower.

Attorney, Go too, I will lay thee upon thy Back, for the confidentest Traytor that ever came at a Bar. Why should you take 8000 Crowns for a Peace? Lord

Lord Cecil, Be not so impatient, good Mr. Attorney, give him leave to speak.

Attorney, If I may not be patiently heard, you will incourage Traytors, and discourage Us. I am the King's sworn Servant, and must speak: If he be Guilty, he is a Traytor; if not deliver him.

Nota, Here Mr. Attorney sate down and would speak no more, until the Commissioners urged and intreated him to go forward, and then proceeded.

Attorney, You had intelligence with Cobham, within Four Days before he came to the Tower. If he be wholly Spanish, and desired Pension of 1500 Pounds a Year from Spain, that Spain by him might have Intelligence, then Raleigh is a Traytor. He hath taken an Apple, and pinned a Letter unto it, and threw it into my Lord Cobham's Window; the Contents whereof were this; It is doubtful whether we shall be proceeded with or no, perhaps you shall not be tried. This was to get a Retraction. Oh! It was Adam's Apple, whereby the Devil did deceive him. Further, he wrote thus, Do not as my Lord of Essex did; take heed of a Preacher; for by his Perswasion he confessed, and made himself Guilty. I doubt not, but this Day, God shall have as great a Conquest by this Traytor, and the Son of God shall be as much glorified, as when it was said, *Vicisti Galilæe*; you know my meaning. Though Cobham retracted, yet he could not rest nor Sleep, until he had confirmed it again. If this be not enough to prove him a Traytor, the King my Master shall not Live Three Years to an end.

Nota. Here Mr. Attorney produceth the Lord Cobham's Letter, and as he read it, inserted some Speeches.

" I have thought it fit, to set down this to my
" Lords, wherein I profess on my Soul, to write
" nothing

“ nothing but the Truth. I am come now near
“ to the Period of my Time, therefore I confess
“ the Truth, before God and his Angels. *Ra-*
“ *leig*, Four Days before I came from the *Tower*,
“ caused an Apple (*Eves Apple*) to be thrown in
“ at my Chamber-Window ; the effect of it was
“ to intreat me to right the Wrong that I had
“ done him, in saying, that I should have come
“ home by *Jersey*, which under my hand to him
“ I have retracted. His first Letter I answered
“ not, which was thrown in the same manner,
“ wherein he prayed me to write him a Letter,
“ which I did. He sent me Word that the Judges
“ met at Mt. *Attorney*’s House, and that there
“ was good hope the Proceedings against us
“ should be staied ; he sent me another Time a
“ little Tobacco. At *Aremberg*’s coming, *Raleigh*
“ dealt with me, to procure him a Pension of
“ 1500 Pounds a Year, for which he promised
“ that no Action should be against *Spain*, but he
“ would give knowledge before Hand. He told
“ me the States had Audience with the King.
“ (Ah, is not this a *Spanish* Heart in an *English*
“ Body?) He hath been the original Cause of
“ my Ruine ; for I had no dealing with *Arem-*
“ *berg*, but by his Instigation. He hath been al-
“ so the cause of my Discontentment ; he ad-
“ vised me, not to be overtaken with Preachers,
“ as *Effix* was, and that the King would better
“ allow of a constant Denial, than to Accuse
“ any.

Attorney, O damnable Atheist ! He hath learn-
ed some Text of Scripture, to serve his own pur-
pose, but falsly alledged. He counsels him, not
to be counselled by Preachers, as *Effix* was : He
died the Child of God; God honoured him at his
Death ; thou wast by when he died, *Et Lupus &*
Turpes instant morientibus ursæ. He died indeed for

for his Offence. The King himself spake these Words: *He that shall say Essex died not for Treason, is punishable.*

Raleigh, You have heard a strange Tale of a strange Man; he hath Matter enough to destroy me; but the King, and all of you shall Witness by our Deaths, which of us was the Ruine of other. I bid a poor Fellow throw in the Letter at his Window, written to this purpose, *you know you have undone me, now write Three Lines to justify me.* In this I will die, that he hath done me Wrong: Why did not he acquaint me with his Treasons, if I acquainted him with my Dispositions?

Attorney, But what say you now of this Letter?

Raleigh, I say that *Cobham* is a base dishonorable poor Soul.

Attorney, Is he base? I return it into thy Throat, on his behalf; But for thee, he had been a good Subject.

Nota. Here Raleigh pulled a Letter out of his Pocket, which the Lord Cobham had written to him, and desired my Lord Cecil to read it, because he only knew his Hand; the Effect of it was as followeth: Cobham's Letter of Justification to Raleigh.

“ Seeing myself so near my End, for the discharge of my own Conscience, and freeing myself from your Blood, which else will cry Vengeance against me: I protest upon my Salvation, I never practised with Spain by your Procurement; God so Comfort me in this my Affliction, as you are a true Subject for any thing that I know. I will say as Daniel, *Purus sum à Sanguine busus.* So God have Mercy on my Soul, as I know no Treason by you.

Nota. This was the last Evidence, whereupon a Marshal was Sworn, to keep the Jury private. The Jury departed, and staid not a Quarter of an Hour, but returned, and gave their Verdict Guilty.

Serj. Heath demanded Judgment against the Prisoner.

Clerk of the Crown. Sir Walter Raleigh, thou hast been Indicted, Arraigned, and pleaded not Guilty, for all these several Treasons; and for Trial thereof, hast put thy self upon thy Country; which Country are these, who have found thee Guilty. What canst thou say for thy self, why Judgment and Execution of Death, should not pass against thee?

Raleigh. My Lords, the Jury have found me Guilty. They must do as they are directed. I can say nothing why Judgment should not proceed. You see whereof Cobham hath accused me. You remember his Protestations, that I was never Guilty. I desire the King should know of the Wrongs done unto me since I came hither.

Lord Chief Justice. You have had no Wrong Sir Walter.

Raleigh. Yes, of Mr. Attorney, I desire my Lords, to remember Three Things to the King. *First,* I was accused to be a Practiser for Spain: I never knew that my Lord Cobham meant to go thither, I will ask no Mercy at the King's Hands, if he will affirm it. *Secondly,* I never knew of the Practice with Arabella. *Thirdly,* I never knew of my Lord Cobham's Practice with Aremberg, nor of the surprising Treason.

Lord Chief Justice. In my Conscience I am persuaded that Cobham hath accused you truly. You cannot deny, but that you were dealt with, to have a Pension to be a Spie for Spain; therefore you are not so true to the King, as you have protested yourself to be.

Raleigh. I submit myself to the King's Mercy, I know his Mercy is greater than my Offence. I recommend my Wife and Son, of tender Years, unbrought up, to his Compassion.

Lord Chief Justice, I had thought I should never have seen this Day, to have stood in this Place against you; because I thought it impossible, that one of so great Parts, should have fallen so grievously. God hath bestowed on you many Benefits. You had been a Man fit, and able to have served the King in good Place. You had brought yourself into good State of Living, if you had entred into a good Consideration of your Estate, and not suffered your own Wit to have intrapped yourself, you might have lived in good Comfort. It is best for Men not to seek to climb too high, lest he fall; nor yet to creep too low, least he be trodden on. It was the Posy of the wisest and greatest Councillor, of his Time, in *England*, *In medio spatio mediocria firma locantur*. You might have lived well with 3000 Pounds a Year, for so I have heard your Revenues to be. I know nothing might move you to be discontented; but if you had been down, you know Fortunes Wheel, when it is turned about, riseth again. I never heard that the King took away any thing from you, but the Captainship of the Guard, which he did with good Reasons, to have one of his own Knowledge, whom he might Trust in that Place. You have been taken for a Wise Man, and so have shewed Wit enough this Day. Again, for Monopolies for Wine, &c. If the King had said, *It is a Matter that offends my People, should I burthen them for your particular good?* I think you could not well take it hardly, that his Subjects were eased, though by your private hindrance. Two Vices have lodged chiefly in you; One is an Eager Ambition; The other Corrupt Covetousness. Ambition in desiring to be advanced to equal Grace and Favour, as you have been before time; that Grace you had then, you got not in a Day or Year. For your Covetousnes, I am sorry to hear that a Gentleman

Gentleman of your Wealth, should become a base Spie for the Enemy, which is the Vilest of all other; wherein, on my Conscience, *Cobbam* hath said true; by it you would have increased your Living 1500 l. a Year. This Covetousness is like a Canker, that eats the Iron place where it Lives. Your Case being thus, let it not grieve you, if I speak a little out of Zeal, and Love to your good. You have been Taxed by the World, with the Defence of most heathenish and blasphemous Opinions, which I list not to repeat, because Christian Ears cannot endure to hear them, nor the Authors and Maintainers of them suffered to live in any Christian Commonwealth. You know what Men said of *Harpool*. You shall do well before you go out of the World, to give Satisfaction therein, and not to die with these Imputations on you. Let not any Devil perswade you to think there is no Eternity in Heaven, for if you think thus, you shall find Eternity in Hell-Fire. In the first Accusation of my Lord *Cobbam*, I observed his manner of speaking; I protest before the living God, I am perswaded he spoke nothing but the Truth. You wrote, that he should not in any case confess any thing to a Preacher, telling him an Example of my Lord of *Essex*, that noble Earl that is gone; who if he had not been carried away with others, had lived in Honour to this Day among us. He confessed his Offences, and obtained Mercy of the Lord; for I am verily perswaded in my Heart, he died a worthy Servant of God. Your conceit of not confessing any thing, is very Inhumane and Wicked. This is the time of confessing, that we may be Absolved at the Day of Judgment. You have shewed a fearful Sign of denying God, in advising a Man not to confess. It now comes in my mind, why you may not have your Accuser Face to Face, for

for such a one is easily brought to Retract, when he seeth there is no hope of his own Life. It is dangerous that any Traytors should have any Acces one to another, or Conference; when they see themselves must Die, they will think it best to have their Fellow Live, that he may commit the like Treason again, and so in some sort seek Revenge.

Now it resteth to Pronounce the Judgment, which I wish you had not been this Day to have received: For if the Fear of God in you, had been answerable to your other Parts, you might have Lived to have been a singular Subject. I never saw the like Tryal, and I hope, I shall never see the like again.

The Judgment.

But since you have been found Guilty of these horrible Treasons, you shall be had from hence to the Place whence you came, there to remain until the Day of Execution; and from thence you shall be drawn upon a Hurdle through the Streets, to the Place of Execution, there to be hanged, and cut down alive, and your Body shall be opened, your Heart and Bowels pluck'd out, and your privy Members cut off and thrown into the Fire, before your Eyes; then your Head to be stricken off from your Body, which shall be divided into Four Quarters, to be disposed at the King's Pleasure: And

God have Merey upon your Soul.

Sir Walter Raleigh's Speech on the Scaffold.

I thank God of his Infinite Goodness, that he hath sent me to Die in the sight of so Honourable an Assembly, and not in Darknes.

As I said, I thank my God heartily that he hath brought me into the light to Die, and hath not suffered me to Die in the Dark Prison of the Tower, where I have suffered a great Deal of Adversity, and a long Sickness; and I thank God that my Feaver hath not taken me at this time, as I prayed God it might not. There

• There are two main Points of Suspicion, that his Ma-
• jesty hath conceived against me, and wherein his Ma-
• jesty cannot be satisfied, which I desire to Clear and Resolve
• you of.

• One is, that his Majesty hath been informed that I
• have had some Plot with *France*, and his Majesty had
• some Reason to induce him thereunto. One Reason that
• his Majesty had to Conjecture so, was, that when I came
• back from *Guiana*, being come to *Plymouth*, I endeavoured
• to go to *Rochel*; which was, because I would fain have
• made my Peace before I came to *England*. Another Rea-
• son was, that upon my Flight, I did intend to Flie to
• *France* for saving of my Life, having had some Terror from
• above. A third Reason was the *French Agent's* coming
• to me, and it was Reported that I had a Commission from
• the King of *France*.

• But this I say, for a Man to call God to Witness to a
• Falshood at any time, is a grievous sin, and what shall
• he hope for at the Tribunal Day of Judgment? But to
• call God to Witness to a Falshood at the time of Death,
• is far more grievous and impious, and there is no hope for
• such an one. And what should I expect that am now
• going to render an Account of my Faith? I do therefore
• call the Lord to Witness, as I hope to be saved, and as I
• hope to see Him in his Kingdom, which I hope will be
• within this quarter of this Hour; I never had any Com-
• mission from the King of *France*, nor any Treaty with the
• *French Agent*, nor with any from the *French King*; nei-
• ther knew I that there was an Agent, or what he was,
• till I met him in my Gallery at my Lodging unlooked
• for. If I speak not true, O Lord, let me never come into
• thy Kingdom.

• The second Suspicion was, that his Majesty hath been
• Informed, that I should speak Dishonourably and Disloyally
• of him. But my Accuser was a base *Frenchman*, a kind of
• a Chymical Fellow, one whom I knew to be perfidious:
• for being drawn into this Action at *Winchester* in which
• my Hand was toucht, and he being sworn to secrecy over
• Night, revealed it in the Morning.

• But in this I speak now, What have I to do with
• Kings? I have nothing to do with them, neither do I
• fear them: I have now to do with God, therefore to tell
• a Lie now to get the Favour of the King, were in vain.
• Therefore, as I hope to be saved at the last Day, I never
• spake Dishonourably, Disloyally, or Dishonestly of the
• King; neither to this *Frenchman*, nor to any other; ne-
• ther had I ever in all my Life a thought of ill of his Ma-
• jesty. Therefore I cannot but think it strange, that this

Frenchman, being so base, so mean a Fellow, it wld be so far Credited, and so much for this Point. I have dealt truly, and I hope I shall be believed. I confess I did attempt to escape, and I did dissemble and faint my self Sick at *Salisbury*, but I hope it was no sin, The Prophet *David* did make himself a Fool, and did suffer *Sipotle* to fall upon his Beard to escape the Hands of his Enemies, and it was not imputed to him as sin; and I did it to prolong Time till his Majesty came, hoping for some Commisera-
tion from him

I forgive this Frenchman, and Sir *Lewis Steuckley*, and have received the Sacrament this Morning of Mr. *Dean*, and I do also forgive all the World. But thus much I am bound in Charity to speak of this Man, that all Men may take good heed of him: Sir *Lewis Steuckley* my Kinsman and Keeper, hath affirmed that I should tell him, that I did tell my Lord *Carew*, and my Lord *Doncaster*, of my present Escape; but I protest before God, I never told *Steuckley* any thing, neither did I tell my Lord *Carew*, or my Lord *Doncaster* of my pretended Escape. It was not likely that I should acquaint two Privy Councillors of my purpose; neither would I tell him, for he lett me 6, 7, 8, 9, or 10 Days to go where I listed, while he Rode about the Country.

Again he accused me, that I should tell him, that my Lord *Carew*, and my Lord *Doncaster*, would meet me in *France*, which was never my Speech or Thought.

Thirdly, he accused me, that I shew'd him a Letter, and that I shou'd give him 10000 Pound for my Escape; but cast my Soul into everlasting Fire, if I ever made him offer of 10000 Pounds, or 1000 Pounds, but meerly I shew'd him a Letter, that if he would go with me, his Debts should be paid when he was gone, neither had I 1000 Pound, for if I had had so much, I could have done better with it, and made my Peace otherwise.

Fourthly, When I came to Sir *Edward Pelham*, who had been sometimes a Follower of mine, who gave me good Entertainment, he gave out, that I had receiv'd some Dram of Poison in Sir *Edward Pelham*'s House; when I answered, that I feared no such thing, for I was well assured of them in the House. Now God forgive him, for I do, and desire God to forgive him; I will not only say God is the God of Revenge, but I desire God to forgive him, as I hope to be forgiven.

Well, saith he, thus far have I gone, now a little more, and I will have done by and by.

It was told the King, that I was brought per Force into *England*, and that I did not intend to come again, whereas Captain *Charles Parker*, Mr. *Tresham*, Mr. *Leak*, and divers others,

others, that knew how I was dealt withal, shall Witness for me; for the Common Soultiseis, which were 150, mutinied, and sent for me to come into the Gur-Room to them, for at that time they would not come to me; and there was I forced to take an Oath, that I would not come into *England* till they would have me, or else they would cast me into the Sea and drown me; afterwards they entred my Cabbin, and set themselves against me. After I had taken this Oath, with Wine and other things I drew the chiefeſt of them to deſiſt, and at length I perwaded them to go into *Ireland*; then would they have gone into the North-parts of *Ireland*, but I told them they were *Redſbanks*: But at laſt with much ado I perwaded them to go into the South-parts; promising to get their Pardon, but was forced to give them 125 Pounds at *Kinsale* to bring them Home, otherwiſe I had never got from them

There was a Report that I meant not to go to *Guiana* at all, and that I knew not of any Mine, nor intended any ſuch matter, but only to get my Liberty, which I had not the Wit to keep. But it was my full intent to go for Gold, for the Benefit of his Maſteſty and thoſe that went with me, with the reſt of my Countrymen: But he that knew the Head of the Mine would not discover it, when he ſaw that my Son was slain, but made himſelf away. And then he turned to my Lord of *Arundel*, and ſaid, Being in the Gallery in my Ship at my Departure, your Honour took me by the Hand, and ſaid you would requeſt me one thing, that was, *That whether I made a good Voyage or bad, yet I ſhould return again into England*: when I made you a Promise and gave you my Faſh that I would: *And ſo you did* (anſwered my Lord) *it is true, they were the laſt words I ſpake unto you.* Another Opinion was, that I carried to Sea with me 1600 Piſces, and that was all the Voyage I intended, only to get Money into my hands, and that I had weighed my Voyage before; whereas I protest I had but a 100 Pounds in all the World, whereof I gave 25 Pounds to my Wife: The Reaſon of this Speech was this; there was entered 20000 Pound, and yet but 4000 Pound in the Surveyors Book, now I gave my Bill for the other 16000 Pound for divers Adventurers, but I protest I had not a Penny of Money more then 100 Pound, as I hope to be ſaved.

Another Slander was raifed, that I would have gone away from them and left them at *Guiana*; but there was a great many of worthy Men that accompanied me always, as my Serjeant Major *George Raleigh*, and divers others (which he then named) that knew my intent was nothing to. And these be the material Points I good thought to ſpeak

‘ of; I am now at this instant to render my Account to God, and I protest as I shall appear before Him, this that I have spoken is true.

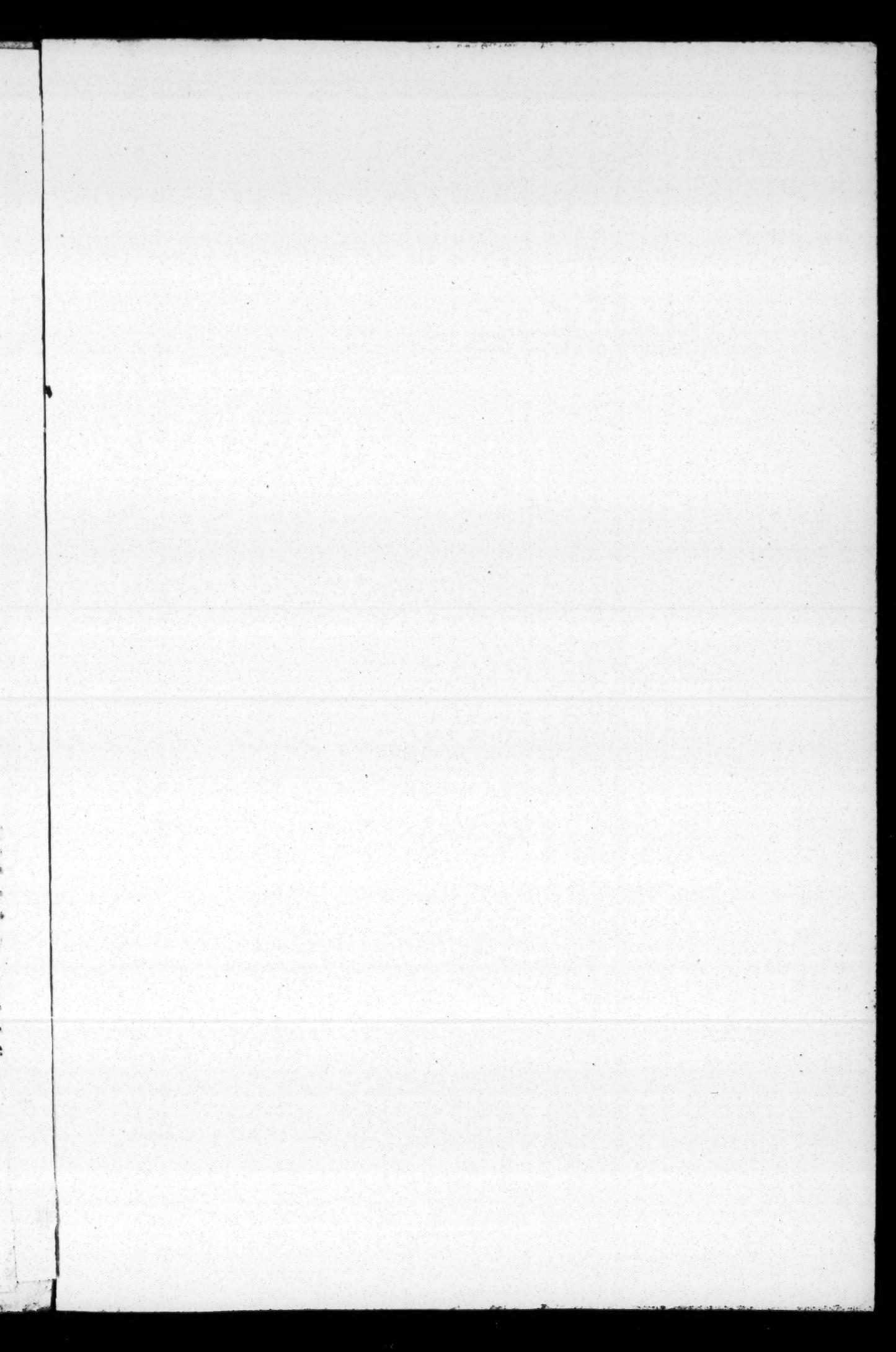
‘ I will speak but a word or two more, because I will not trouble Mr. Sheriff too long.

‘ There was a Report spread, that I should rejoice at the Death of my Lord of *Essex*, and that I should take Tobacco in his presence; when as I protest I shed Tears at his Death, tho' I was one of the contrary Faction; and at the time of his Death I was all the while in the Armory at the further end, where I could but see him; I was sorry that I was not with him, for I heard he had a desire to see me, and be Reconciled to me. So that I protest I lamented his Death, and good cause had I, for it was the worse for me as it proved, for after he was gone I was little beloved.

‘ And now I intreat you all to join with me in Prayer, that the Great God of Heaven, whom I have grievously offended, being a Man full of all Vanity, and have lived a sinful Life, in all sinful Callings, having been a Souldier, a Captain, a Sea-Captain, and a Courtier, which are all Places of Wickedness and Vice; that God (I say) would forgive me, and cast away my Sins from me, and that he would receive me into everlasting Life. So I take my leave of you all, making my Peace with God.

When the Company were order'd to withdraw from the Scaffold, he took the Lord *Arundel* by the Hand, and intreated him to desire the King, *That no scandalous Writing, to defame him, might be publish'd after his Death*; Saying further to him, *My Lord, I have a long Journey to go, and therefore will take my Leave.* He then put off his Gown and Doublet, and call'd to the Headsman to shew him the Axe, which being not presently shewn him, *I prithee let me see it*, said he, *Dost thou think that I am afraid of it?* When it was brought to him, he felt along upon the Edge of it, and turning to the Sheriff, said with a Smile, *This is a sharp Medicine, but it is a Physician for all Diseases.*

He then dispoled himself for the Block, and after a short Prayer and a Sign given, at two Blows his Head was separated from his Body, and such a large Effusion of Blood proceeded from his Veins, that it was conjectur'd he might by the Strength of Nature have survived many Years.



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